



# Board of Commissioners Agenda

## Town of Swansboro

Monday, August 28, 2023

Revised 8/28/2023

### Board Members

John Davis, Mayor | Frank Tursi, Mayor Pro Tem | Pat Turner, Commissioner | Harry PJ Pugliese, Commissioner | Larry Philpott, Commissioner | Jeffrey Conaway, Commissioner

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#### I. Call to Order/Opening Prayer/Pledge

#### II. Public Comment

Citizens have an opportunity to address the Board for no more than three minutes per speaker regarding items listed on the agenda. There is a second opportunity at the end of the agenda for the public to address the Board on items not listed on the agenda.

#### III. Adoption of Agenda and Consent Items

The Town Clerk respectfully submits to the Board, the Regular Agenda and the below consent items, which are considered to be of general agreement and little or no controversy. These items may be voted on as a single group without Board discussion "or" if so desired, the Board may request to remove any item(s) from the consent agenda and placed for consideration separately.

##### III. Consent Items:

[a.](#) Resolution Accepting LASII ARPA Funding for Stormwater Master Plan

[b.](#) Resolution Accepting Fiscal Year (FY)2022 Assistance to Firefighters Grant

#### IV. Appointments/Recognitions/Presentations

a. Swan Reveal

#### V. Public Hearing

[a.](#) Text Amendment to 152.016 Definitions of Basic Terms

**Presenter: Rebecca Brehmer – Projects/Planning Coordinator**

A text amendment to section 152.016 Definitions of Basic Terms is needed to add a definition of "Marina".

*Recommended Action: 1. Hold a Public Hearing.*

*2. Motion to approve or deny Ordinance 2023-012 amending the Unified Development Ordinance to update Section 152.016 to include the definition for "Marina".*

**b. Amendment to the CAMA Land Use Plan**

**Presenter: Andrea Correll, AICP – Planner**

An amendment to the CAMA Land Use Plan is recommended regarding protecting environmentally sensitive and to clarify the recommendations from Appendix A.

*Recommended Action: 1. Hold a public hearing;*

*2. Motion to approve or deny Resolution 2023-R7 to amend the CAMA Land Use Plan Appendix A.*

**VI. Business Non-Consent**

**a. Emergency Operations Center Option Selection**

**Presenter: Paula Webb – Town Manager and Sonia Johnson – Finance Director**

The final draft feasibility study was presented to the Board of Commissioners on July 10th, 2023. The study included four options that capture the space needs in differing ways. In all options the EOC will be designed as a highly secure and hardened facility capable of resisting Category 4 hurricane conditions. Of those, Option C was most preferred by Staff because it provided drive-thru bays and allows for the existing building to be re-purposed in the future for another use. The estimated cost for Option C - \$9.3-12.6 million dollars. SCIF Funding obtained total \$6 million for this project. Staff was directed to gather additional funding opportunities/resources.

*Recommended Action: Select an Option for Becker Morgan to proceed with design schematic.*

**b. ~~Dockwalk Bulkhead/Mattocks Property~~ **Removed 8/28/2023****

**Presenter: Paula Webb – Town Manager**

~~Discussion is needed regarding the recent deterioration of the bulkhead and property at the shoreline along the Mattocks Property where the Bicentennial Park Boardwalk Extension with Public Day Docks are to be constructed.~~

~~*Recommended Action: Discuss, provide guidance, and action to allocate funding for repairs and replacement of the bulkhead.*~~

**c. Future Agenda Topics**

**Presenter: Alissa Fender – Town Clerk**

Future agenda items are shared for visibility and comment. In addition, an opportunity is provided for the Board to introduce items of interest and subsequent direction for placement on future agendas.

*Recommended Action: Discuss and provide any guidance*

**VII. Items Moved from Consent**

**VIII. Public Comment**

Citizens have an opportunity to address the Board for no more than five minutes regarding items not listed on the Agenda.

**IX. Manager's Comments**

**X. Board Comments**

**XI. Closed Session**

- a. *Recommended Action: Motion to enter Closed Session Pursuant to NCGS 143-318.11 (a) (3) to allow the Town Attorney to provide updates on legal matters under the attorney-client privilege and (5) to instruct the public body's staff on negotiating terms for property acquisition. Revised 8/28/2023*

**XII. Adjournment**



# Board of Commissioners Meeting Agenda Item Submittal

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Item To Be Considered: **Resolution Accepting LASII ARPA Funding for Stormwater Master Plan**

Board Meeting Date: **August 28, 2023**

Prepared By: **Paula Webb – Town Manager**

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Overview: The Town received notification of its award of the LASII ARPA funding in the amount of \$400,000 on April 5, 2023 to assist in stormwater mapping of the Town. Acceptance of the funding requires adoption of a resolution per the Funding Offer and Acceptance documentation received on August 17, 2023.

**Background Attachment(s):** Resolution 2023-R5

**Recommended Action:** Adoption of Resolution 2023-R5

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**Action:** \_\_\_\_\_  
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**RESOLUTION 2023-R5  
BY GOVERING BODY OF RECIPIENT**

Whereas, the American Rescue Plan Act (ARPA), funded from the State Fiscal Recovery Fund, was established in Session Law (S.L.) 2021-180 to assist eligible units of local government with meeting their drinking water and/or wastewater and/or stormwater infrastructure needs, and

Whereas, the North Carolina Department of Environmental Quality has offered LASII ARPA funding in the amount of \$400,000 to perform the work detailed in the submitted application, and

Whereas, the Town of Swansboro intends to perform said project in accordance with the agreed scope of work,

NOW, THEREOFRE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF SWANSBORO:

That the Town of Swansboro does hereby accept the ARPA grant offer of \$400,000; and

That the Town of Swansboro does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Funding Offer and Acceptance (award offer) will be adhered to; has substantially complied, or will substantially comply, with all federal, State of North Carolina (State), and local laws, rules, regulations, and ordinances applicable to the project; and to federal and State grants and loans pertaining thereto; and

That the Town Manager Paula Webb, and successor so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the North Carolina Department of Environmental Quality, Division of Water Infrastructure.

Adopted this 28<sup>th</sup> day of August 2023.

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John Davis, Mayor

Attest:

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Alissa Fender, Town Clerk



# Board of Commissioners Meeting Agenda Item Submittal

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Item To Be Considered: **Resolution Accepting Fiscal Year (FY)2022 Assistance to Firefighters Grant**

Board Meeting Date: **August 28, 2023**

Prepared By: **Jacob Randall – Fire Chief**

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**Overview:** The Town received an award notification for the FEMA Assistance to Firefighters Grant with a total budget of \$63,700.45. Of this amount, the Town must contribute at a 5% minimum match, or funds totaling \$3,033.36. The Federal share approved for the project is \$60,667.09. The grant was sought to increase our capabilities of refilling our Self-Contained Breathing Apparatus cylinders. The item is identified as a Cascade System. Acceptance of the award and support for the program requires a resolution of the award package provided on August 25, 2023.

**Background Attachment(s):** Resolution 2023-R6

**Recommended Action:** Adoption of Resolution 2023-R6

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**Action:** \_\_\_\_\_  
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**RESOLUTION 2023-R6  
BY THE GOVERNING BODY RECIPIENT**

Whereas, The Federal Emergency Management Agency (FEMA), funded by the Department of Homeland Security, has provided grant program opportunities in Fiscal Year (FY) 2022 to support enhancing the safety of the public and firefighters concerning fire and fire-related hazards in the form of the Assistance to Firefighters Grant (AFG), and

Whereas, the Town of Swansboro must contribute non-federal funds equal to or greater than 5% or no less than \$3,033.36, and the FY 2022 AFG approved Federal funds to support the applied project totaling \$60,667.09, and

Whereas, the FY 2022 AFG has selected and approved the Town of Swansboro's project of acquiring the necessary equipment to increase vital capabilities to ensure the safety of responders, in the amount of \$63,700.45 for the applied project, and

Whereas, the FY 2022 AFG requires acceptance and understanding of the material contained in the application and the award notification package, and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF SWANSBORO:

That the Town of Swansboro does hereby accept the FY 2022 AFG grant offer of \$60,667.09 Federal Funding; and

That the Town of Swansboro does hereby give assurance to the Federal Emergency Management Agency that any conditions, assurances, regulations, and requirements present in the Notice of Funding and Award Notification Package will be adhered to and followed, along with all Federal, State of North Carolina (State), and local laws, rules, regulations, and ordinances applicable to the project; and

That upon request, Town Manager Paula Webb, and successor so titled, is hereby authorized and directed to furnish such information as the appropriate Federal agency may request in connection with this project, and execute any other documents as deemed necessary or required to comply or complete the project.

Adopted this 28<sup>th</sup> day of August 2023.

\_\_\_\_\_  
John Davis, Mayor

Attest:

\_\_\_\_\_  
Alissa Fender, Town Clerk



# Board of Commissioners Meeting Agenda Item Submittal

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Item To Be Considered: **Text Amendment to 152.016 Definitions of Basic Terms**

Board Meeting Date: **August 28, 2023**

Prepared By: **Rebecca Brehmer – Projects/Planning Coordinator**

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**Overview:** A text amendment to section 152.016 Definitions of Basic Terms is needed to add a definition of “Marina”.

It has recently been discovered that the definition of “Marina” was left out during the 2018 update during which the definition of “Docks” was added. The purpose of this amendment is to clearly differentiate the definition of commercial docks from marinas in our ordinance.

At the August 1, 2023, regular meeting of the Planning Board, the amendment was reviewed and recommended for approval to the Board of Commissioners.

**Background Attachment(s):**

- 1. Comprehensive Plan Consistency Statement
- 2. Ordinance 2023-O12

**Recommended Action:** 1. Hold a Public Hearing.  
2. Motion to approve or deny Ordinance 2023-O12 amending the Unified Development Ordinance to update Section 152.016 to include the definition for “Marina”.

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**Action:** \_\_\_\_\_  
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**TOWN OF SWANSBORO PLANNING AND ZONING BOARD  
STATEMENT OF CONSISTENCY**

On August 1, 2023, the Planning Board heard the requested text amendment to differentiate the definition of commercial docks from marinas in our ordinance by defining marinas and recommended unanimous approval of the text amendment to the Town Unified Development Ordinance as followed: § 152.016 Definitions of Basic Terms.

The Town’s Planning Board finds that the proposed text amendment is consistent with the current Comprehensive Plan and other applicable plans and policies and considers the action taken to be reasonable and in the public interest because it provides the structure, for Town staff to proactively address issues related to impacts caused by development in order to protect the health, safety, and welfare of the Town’s residents.



Planning Board Chair



Town Planner



**ORDINANCE 2023-012  
AN AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE  
§ 152.016 DEFINITIONS OF BASIC TERMS**

WHEREAS North Carolina General Statute 160D-605 and 160D-701 requires that zoning regulations shall be made in accordance with a Comprehensive Plan; and

WHEREAS the Board of Commissioners finds that the proposed text amendments to the Unified Development Ordinance regarding adding a definition for “Marina” to be consistent with the Town of Swansboro CAMA LAND USE Plan updated January 22, 2019.

NOW BE IT ORDAINED by the Town of Swansboro Board of Commissioners that the Town Unified Development Ordinance be amended.

**TITLE XV: LAND USAGE  
CHAPTER 152: UNIFIED DEVELOPMENT ORDINANCE  
§ 152.016 DEFINITIONS OF BASIC TERMS**

*MARINA. A facility for the docking, mooring, berthing, or storage of marine vessels. Such uses may include a wide variety of accessory uses such as boat fuel sales, sales of boating supplies and equipment, boating related services, laundries, boat repair and rental, storage racks and dry storage of boats.*

This Ordinance shall be effective upon adoption.

Adopted by the Board of Commissioners in regular session, August 28, 2023.

\_\_\_\_\_  
John Davis, Mayor

Attest:

\_\_\_\_\_  
Alissa Fender, Town Clerk



# Board of Commissioners Meeting Agenda Item Submittal

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Item To Be Considered: **Amendment to the CAMA Land Use Plan**

Board Meeting Date: **August 28, 2023**

Prepared By: **Andrea Correll, AICP – Planner**

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**Overview:** An amendment to the CAMA Land Use Plan is recommended regarding protecting environmentally sensitive and to clarify the recommendations from Appendix A.

The goal of this amendment is to include not only all wetlands, but all environmentally sensitive areas in the CAMA Land Use Plan. These discussions are the result of the recent Supreme Court Case 21-454 Sackett v. EPA, which limits the regulatory power of the EPA. This limits protection to wetlands only connected to other water sources.

At the July 11, 2023, special meeting of the Planning Board, the amendment was reviewed and recommended for approval to the Board of Commissioners.

The text amendments to further protect environmentally sensitive areas by incorporating business cluster development to the Town UDO will follow later.

**Background Attachment(s):**

- 1. Amendment to Appendix A of CAMA Land Use Plan Update
- 2. Comprehensive Plan Consistency Statement
- 3. Resolution 2023-R7

**Recommended Action:** 1. Hold a public hearing;  
2. Motion to approve or deny Resolution 2023-R7 to amend the CAMA Land Use Plan Appendix A.

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**Action:** \_\_\_\_\_  
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## EXISTING PROTECTIONS OF ISOLATED WETLANDS ENVIRONMENTALLY SENSITIVE AREAS REPORT

### Existing Protections of Isolated Wetlands Environmentally Sensitive Areas

#### Key Points:

- Swansboro supports the policies and permitting processes under CAMA and Section 404 of the Clean Water Act.
- Due to changes in interpretation/legislation in the past few years, gaps have been created in the protection of coastal NC's small, isolated wetlands by federal and state programs.
- Swansboro does not have policies or ordinances specifically targeting and protecting isolated, non-coastal wetlands not protected under federal or state law.

#### Findings:

In the existing Land Use Plan (LUP), Swansboro complies with all state and federal laws regarding wetlands and environmentally sensitive areas, including section 404 of the Clean Water Act and all CAMA regulations. However, in 2008, a [statement by the EPA](#) asserted that wetlands not adjacent to traditional navigable waters are not under 404 jurisdiction. In 2015, changes were made to [15A NCAC 2H .1300](#) to regulate only 2 types of the 16 formerly identified isolated wetlands in NC, and to allow discharges that impact one acre or less of isolated wetlands in the coastal region without a permit (15A NCAC 02H .1305(3)). Combined, these changes create a gap in protection for small, non-adjacent/isolated wetlands and make it increasingly important that local municipalities adopt more stringent protections.

Currently, the town does not have many policies that go beyond protections under section 404 of the CWA. Going forward, the Town plans to amend the Unified Development Ordinance to enable clustering in office and business zoning districts, as well as residential district. Most policies in regard to wetlands are statements of support for federal/state regulations. For example, policy 37 states that the town "supports coordinated efforts to preserve and protect the ecological and flood hazard benefits of freshwater wetlands, as protected under Section 404 of the Clean Water act. "Swansboro also has a CAMA-required Environmental Composite Map that incorporates areas of environmental concern into their land suitability analysis. In addition to this, there are a few policies which could have indirect benefits to isolated wetlands. Policy 93 mentions a commitment to Low Development (LID), which the UDO is required in Flexible Lot Developments. In implementing action 21 and policy 65, the town supports the education of the public about "environmentally sensitive areas" and the dangers of location development in natural hazard areas, which could be used to support an education campaign about isolated wetlands.



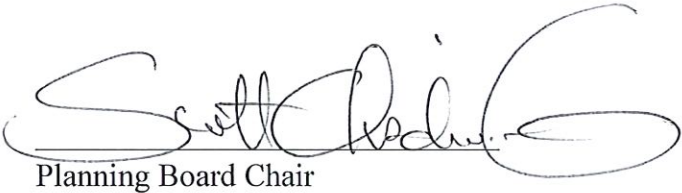
## Recommendations

- **Educate residents** about the benefits (ecological, economic, public health/safety) of protecting wetlands. Incorporate wetland education efforts into Implementing Action 21 of the LUP.
- **Define wetlands** environmentally sensitive areas in the LUP and Unified Development Ordinance to include ~~not only 404-regulated wetlands, but also isolated, freshwater wetlands, floodplains, floodways, all types of wetlands, and areas of threatened or endangered species.~~
- **Update policies** 25 (define environmentally sensitive areas to include isolated wetlands), 37, and 89 in the Land Use Ordinance to include wetlands not protected under CWA(404), according to the previously mentioned definition.
  - Also include a discussion of town protections/definitions in the Wetlands Section of Existing/Emerging Conditions: Fragile Areas.
  - In policy 63, amend to include more specific requirements for development susceptible to wetlands loss (instead of "consideration" in project development).
- **Change zoning** to ~~either include isolated wetlands as a new, separate zone (overlay map of isolated wetlands), or incorporate isolated wetlands into the existing conservation zone.~~ include isolated wetlands in the definition of environmentally sensitive areas and protect wetlands when development is proposed with zoning incentives such as cluster development.
  - Could commission maps of Swansboro wetlands, or use existing maps (FWS, NCRS, NOAA). Add delineation of environmentally sensitive areas is required prior to development approval to the Unified Development Ordinance.
  - Allow appeals process for landowners to challenge delineations they feel are inaccurate
  - If not included in conservation zone, which is included in policy 27 of the LUP (about using increased lot sizes, decreased impervious surfaces, and cluster development), could include in large lot residential zoning to encourage building on uplands and not disturbing wetlands on lot.
- **Create a wetlands** environmentally sensitive area **protection ordinance** specific to the needs of Swansboro:
  - Include: definition of ~~a wetland~~ environmentally sensitive areas, fact finding, intent/goals, definition of regulated activities, standards for issuance of permits development approval to be placed in the Unified Development Ordinance (general: e.g. no net loss of wetlands, and specific: e.g. mitigation ratios), and conditions which may be attached to permits
  - [Model ordinance](#) from the Association of State Wetland Managers
  - [Wisconsin Model Ordinance](#)
  - [Study on Local Ordinance Effectiveness in NYS](#)
- **Create a Wetland Review Board** to help review permit applications under ordinance
- **Institute subdivision regulations** requiring wetlands protection, encourage use of wetlands as open space/stormwater management
- **Institute incentives** to encourage wetlands protection incorporate with environmentally sensitive area in the Unified Development Ordinance, such as:
  - Reduce local real estate taxes for preserved wetlands
  - Density bonuses or development right schemes
  - Work with local land trusts to provide wetland owners who donate wetlands or conservation easements with tax benefits

**TOWN OF SWANSBORO PLANNING AND ZONING BOARD  
STATEMENT OF CONSISTENCY**

On July 11, 2023, the Planning Board heard the requested CAMA Land Use Plan Appendix A amendment and recommended unanimous approval of the CAMA Land Use Plan amendments concerning environmentally sensitive areas.

The Town’s Planning Board finds that the proposed CAMA Land Use Plan Appendix A amendment is consistent with the statement from the Land Use Plan pg. 8 that “Residents recognize that quality of the environment, especially wetlands, coastal marshes, and water quality in the White Oak River is the primary force behind the growth and economic success of the area. Preservation of wetlands and environmentally sensitive areas is important.”



Planning Board Chair



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Town Planner

**RESOLUTION 2023-R7  
AUTHORIZING AN AMENDMENT TO THE  
CAMA LAND USE PLAN, APPENDIX A (PAGES 29-30)**

**WHEREAS**, the Town desires to amend its 2019 update of the 2009 CAMA Core Land Use Plan, specifically Appendix A (pages 29-30) regarding protecting environmentally sensitive areas and

**WHEREAS**, the Town conducted a duly advertised public hearing on the amendment to the adopted CAMA Land Use Plan on Appendix A (pages 29-30) at the Regular Meeting of the Board of Commissioners on August 28, 2023; and

**WHEREAS**, the amendment to the CAMA Land Use Plan has been evaluated for its consistency with other existing policies and no internal inconsistencies exist; and

**WHEREAS**, the amendment is consistent with the currently approved North Carolina coastal Management Program and the rules of the Coastal Resources commission; and

**WHEREAS**, the amendment does not violate any state or federal laws.

**NOW, THEREFORE BE IT RESOLVED THAT** the Board of Commissioners of the Town of Swansboro, North Carolina, unanimously adopted the draft CAMA Core Land Use Plan to amend its 2019 update specifically Appendix A (pages 29-30); and

**BE IT FURTHER RESOLVED** that the Town Manager of Swansboro is hereby authorized to submit the adopted CAMA Core Land Use Plan Update to the State for certification as described above.

Adopted this 28<sup>th</sup> day of August 2023.

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John Davis, Mayor

Attest:

\_\_\_\_\_  
Alissa Fender, Town Clerk





# Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **Emergency Operations Center Option Selection**

Board Meeting Date: **August 28, 2023**

Prepared By: **Paula Webb – Town Manager**

**Overview:** The final draft feasibility study was presented to the Board of Commissioners on July 10th, 2023. The study included four options that capture the space needs in differing ways. In all options the EOC will be designed as a highly secure and hardened facility capable of resisting Category 4 hurricane conditions. Of those, Option C was most preferred by Staff because it provided drive-thru bays and allows for the existing building to be re-purposed in the future for another use. The estimated cost for Option C - \$9.3-12.6 million dollars. SCIF Funding obtained total \$6 million for this project. Staff was directed to gather additional funding opportunities/resources.

Committee Chair/Commissioner Philpott gave a brief on those funding opportunities/resources under Board Comments on August 14, 2023 and further discussion was scheduled for August 28, 2023.

In order for staff to proceed with grant applications etc., a firm decision on one of the options will be needed for the next step, which will be to create a design schematic.

Option A is a concept that identifies all the critical functions of each department and places them in a new secure building or in the more recent additions that do meet current code. The remaining existing spaces would largely be used for less critical functions such as physical fitness, storage, and minor work areas. This option should provide the least costly alternative while improving safety and addressing the EOC component fully. This option would include certain structural enhancements to the existing, original metal building frame housing fire apparatus. If this option is selected improvements to the mezzanine will be required, ensuring there is no future leakage or damage to the renovated spaces below. Such enhancements cannot bring the original building to current standards but would extend the utility of the present structure to a future date. It is worth noting the fire apparatus bay houses a significant investment in equipment that will be in the most vulnerable area. Option A – \$4.2M in building construction, renovation and demolition costs, 13,658 usable square footage. Site improvements of \$500,000; additional/potential costs of \$374,000 and soft cost of \$535,000. Total budget range (+/- 15%) = \$5.4M to \$7.3M.

Option B is a concept to build a new facility in place of the present Public Safety Facility. This would require demolishing the existing facility and building back a new freestanding building at the same location. This building would incorporate all the needs of each department. Limited parking in the town center is an important consideration during festivals and the summer season. Rebuilding in

**Action:** \_\_\_\_\_  
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the current location allows continued use of the existing parking while also allowing potential expansion of the Town Hall. Phasing or providing temporary quarters might have to be considered to maintain continuous operations. This option should provide the middle ground in terms of costs as existing utilities, pavements, and stormwater management features are largely in place and adequate. Option B – \$8.8M in building construction, renovation, demolition, and temporary quarters costs, 14,788 usable square footage. Site improvements of \$500,000; additional/potential costs of \$533,000 and soft cost of \$908,000. Total budget range (+/- 15%) = \$9.2M to \$12.4M.

Option C is a concept that also builds a new facility, however, investigates using another location on the town owned site. This eliminates the need to provide temporary quarters or the acquisition of new land while maintaining continuous operation at the existing facility. Once the newly constructed facility is complete, operations can be relocated from the existing building and the building can be demolished or repurposed. To minimize impacts on the existing storm water management system, we need to minimize impervious area additions. Thus, we would recommend demolition of the present public safety building. Depending on the final design, expansion to the Town Hall or new Public Safety Facility could be limited. Larger fire apparatus require additional area to maneuver properly applying further constraints on the exact location of the new facility. Consideration, for impact on daily activities at Town Hall due to regular movement of large fire apparatus should be considered. This option should also provide middle ground in terms of costs, but may require extension or improvements to existing utilities, and pavements. Option C – \$8.7M in building construction, renovation and demolition costs, 14,788 usable square footage. Site improvements of \$750,000; additional/potential costs of \$376,000 and soft cost of \$917,000. Total budget range (+/- 15%) = \$9.3M to \$12.6M.

Option D is a concept that provides a new free-standing building that incorporates all the needs of each department constructed on a 'greenfield' site; an off-campus location. This option is likely the costliest. Along with the site concerns noted previously in the New Site section, careful consideration will need to be given to site selection regarding impacts and expenses of land acquisition, utilities, drainage, flood plain, and wetlands. While determining the appropriate site, a deployment analysis should be conducted to examine the potential effect on response time and ISO ratings. This could present the opportunity to strengthen the ISO Class rating or at least preserve the current Class 4 rating. This rating has a direct effect on community insurance rates. Any site considered would likely be within a few miles of the present site, near significant roadways, suggesting a higher land value should be expected. Option D – \$8.8M in building construction and renovation costs, 14,788 usable square footage. Site improvements of \$1,500,000; additional/potential costs of \$376,000 and soft cost of \$1.01M. Total budget range (+/- 15%) = \$9.9M to \$13.4M. *Note, budget summary does not include land acquisition.*

**Background Attachment(s):** Finance Options Report, Option Images

**Recommended Action:** Select an Option for Becker Morgan to proceed with design schematic.



## Financing options for the EOC Project

### 1. Potential Grant Funding Opportunities, Key Dates, and Cost Share/Matching

#### ➤ BRIC- Building Resilient Infrastructure and Communities Funds

- Up to 2,000,000 per applicant
- Submit as sub-applicant to NC DPS Emergency Management
- Must have FEMA Hazard Mitigation Plan (Onslow)
- 75% Federal; 25% Non-Federal Cost Share
- 36-Month Period of Performance
- Application Period September to January.

#### ➤ Emergency Operations Center Grant

- March to April application period through FEMA.
- or
- Can submit to State following these instructions

*“The Emergency Operations Center (EOC) Grant Program, not funded since 2011-2012, is returning. These projects can be submitted by a local jurisdiction to a member of the State Congressional Delegation with a letter of support from the State Administrative Agent (SAA), which is North Carolina Emergency Management. Only projects that meet the requirements detailed in the most recent [Notice of Funding Opportunity](#) for the Emergency Operations Center Grant Program, including the cost-share requirement and environmental and historic preservation requirements, as applicable, will be considered for funding.*

*If funded, the projects would be specific line-item awards to that specific jurisdiction with grant monitoring and compliance from NCEM. For more information on these opportunities, please refer to the websites of the members of the North Carolina Congressional Delegation as many have put announcements up with established timeframes for submission. “*

- Cost Share 75% Federal/25% Non-Federal Partner

## 2. Financing Agreements and Other Financing Arrangements









In speaking with the Local Government Commission, the first step is to seek a Financial Advisor and they would walk the Town staff through the process. The two financing options are as follows:

1. Installment Purchase (IP)-based on the current environment; the IP will be quicker to get ready for LGC approval with the rates being slightly higher than a Limited Obligation bond (LOB) public sale.
2. Limited Obligation Bond
  - Public Sale-Public Sale of a LOB will be costly as there are additional fees involved and it will take longer to get ready for LGC approval. The Moody's/Fitch/S&P ratings could cost up to \$15K to get, hiring a bond counsel and financial advisor will include a cost to hire two different types of firms. (For an IP or Direct Placement LOB you will only need a Financial Advisor). However, the Public Sale LOB could give you a better rate and a cost benefit analysis would need to be done to see whether the benefit of the rate outweighs the cost.
  - Direct Placement-Direct Placement of a Limited Obligation Bond will be very similar to the IP within this financial environment as a financial institution will provide the LOB and payments would be made directly to the chosen financial institution.
3. General Obligation Bond-Taxing power pledged: voter approval required. (Possible it is too late to put on the ballot for this year; the amount is too small; feasible for an amount of \$30,000,000 or more.

It was recommended the Town seek a Financial Advisor and they will guide us through the entire process.

Site Plan Diagrams

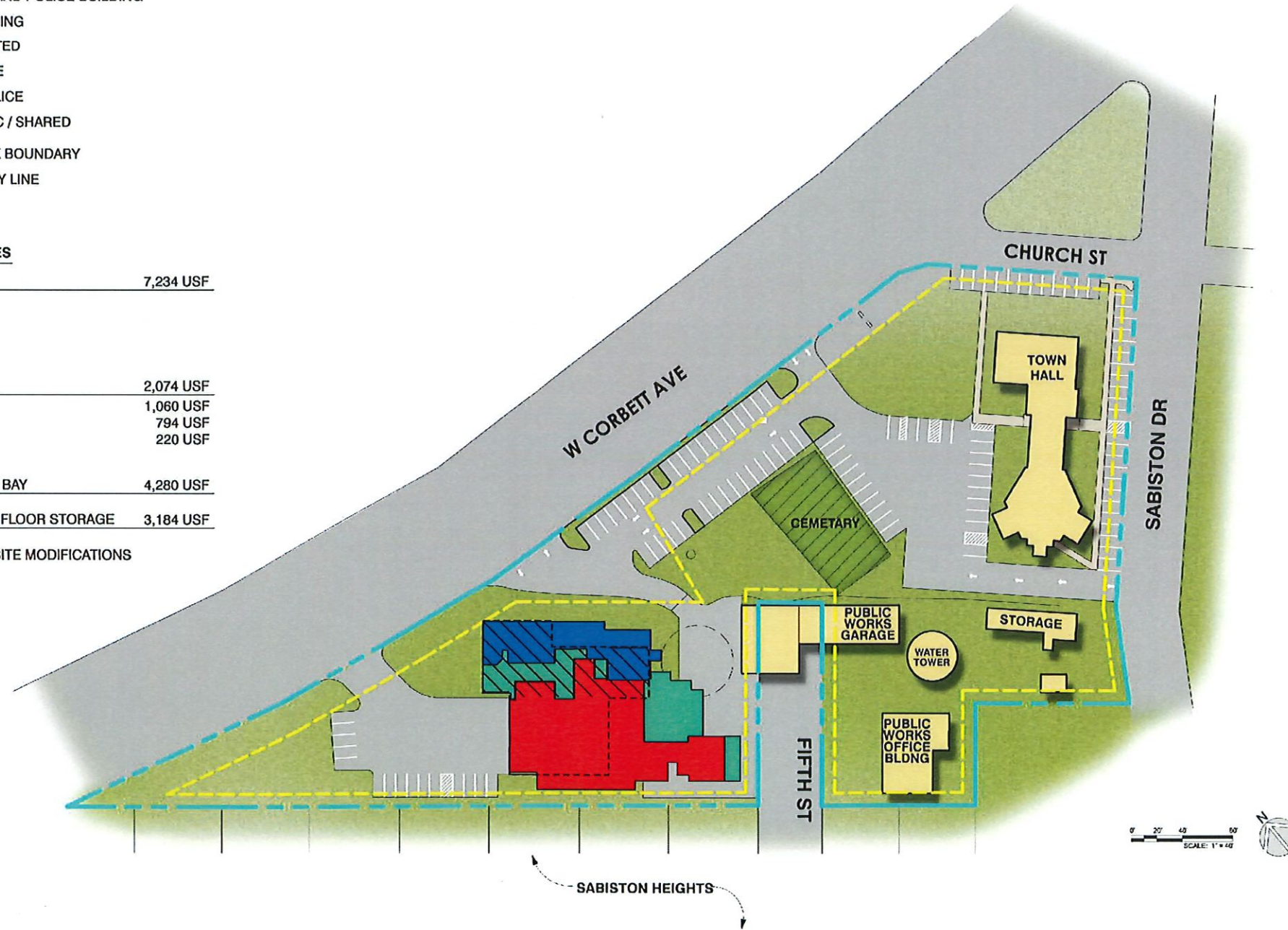
**LEGEND**

-  EXISTING FIRE AND POLICE BUILDING
-  EXISTING BUILDING
-  TO BE RENOVATED
-  PROPOSED FIRE
-  PROPOSED POLICE
-  PROPOSED EOC / SHARED
-  SET BACK BOUNDARY
-  PROPERTY LINE

**SQUARE FOOTAGES**

<b>NEW A</b>	<b>7,234 USF</b>
POL	
FIRI	
EOC	
<b>RENOVATION</b>	<b>2,074 USF</b>
POLICE	1,060 USF
FIRE	794 USF
EOC / SHARED	220 USF
<b>EXISTING FIRE APP BAY</b>	<b>4,280 USF</b>
<b>EXISTING SECOND FLOOR STORAGE</b>	<b>3,184 USF</b>

NOTE: REQUIRED SITE MODIFICATIONS  
NOT SHOWN



**OPTION A**



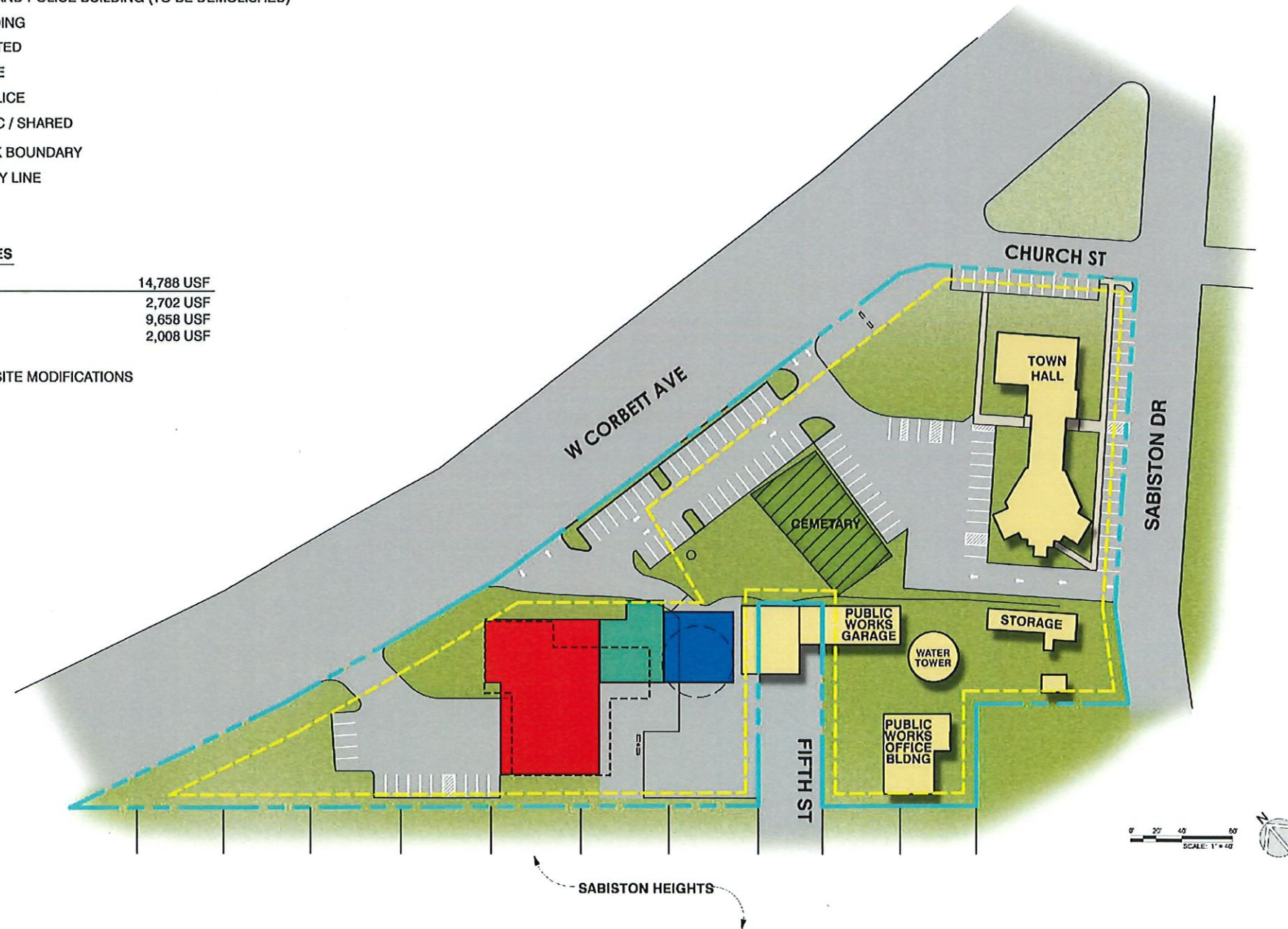
**LEGEND**

- EXISTING FIRE AND POLICE BUILDING (TO BE DEMOLISHED)
- EXISTING BUILDING
- TO BE RENOVATED
- PROPOSED FIRE
- PROPOSED POLICE
- PROPOSED EOC / SHARED
- SET BACK BOUNDARY
- PROPERTY LINE

**SQUARE FOOTAGES**

<b>NEW BUILDING</b>	<b>14,788 USF</b>
POLICE	2,702 USF
FIRE	9,658 USF
EOC / SHARED	2,008 USF

NOTE: REQUIRED SITE MODIFICATIONS  
NOT SHOWN



**OPTION B**

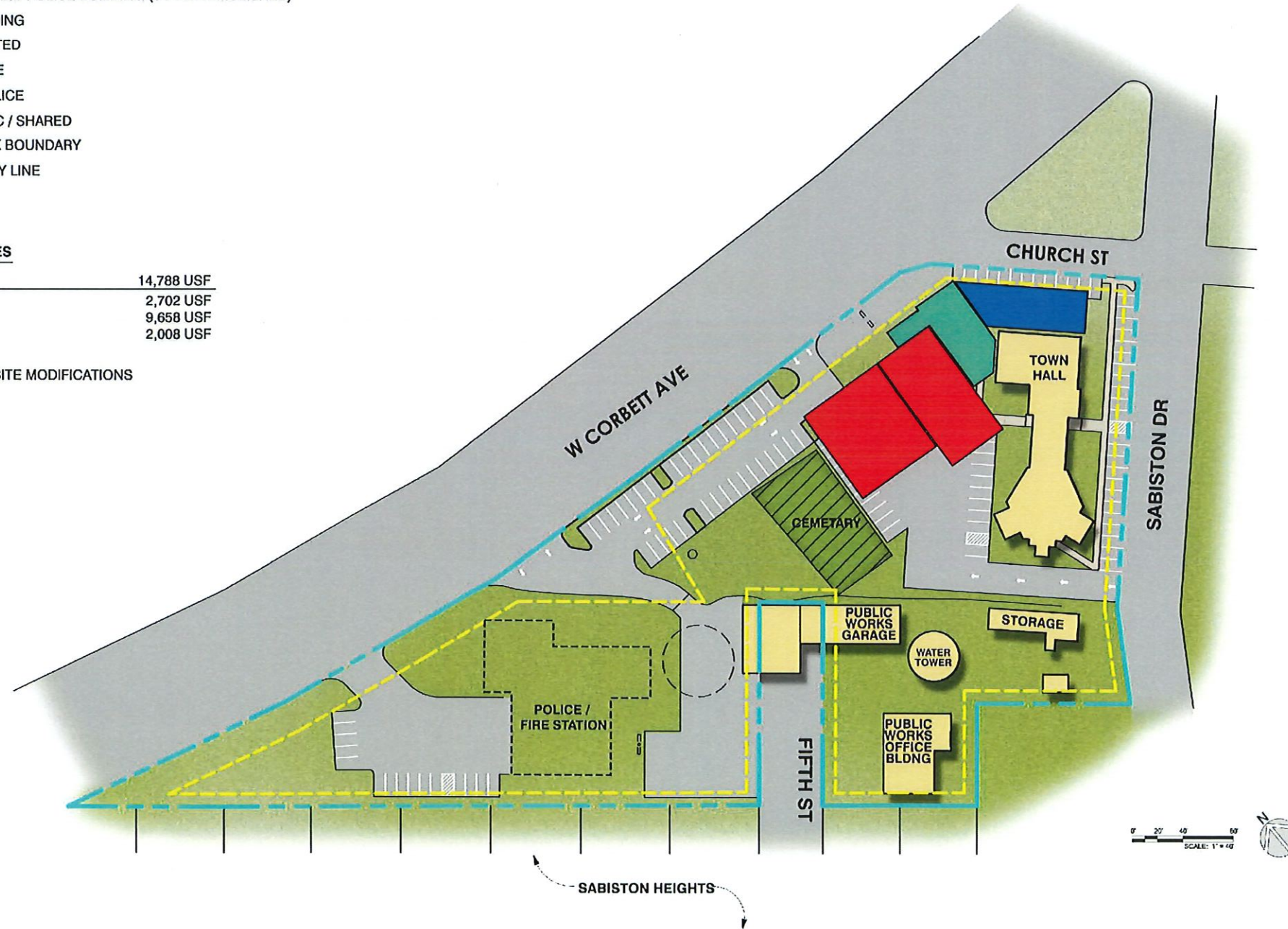
**LEGEND**

- EXISTING FIRE AND POLICE BUILDING (TO BE DEMOLISHED)
- EXISTING BUILDING
- TO BE RENOVATED
- PROPOSED FIRE
- PROPOSED POLICE
- PROPOSED EOC / SHARED
- SET BACK BOUNDARY
- PROPERTY LINE

**SQUARE FOOTAGES**

<b>NEW BUILDING</b>	<b>14,788 USF</b>
POLICE	2,702 USF
FIRE	9,658 USF
EOC / SHARED	2,008 USF

NOTE: REQUIRED SITE MODIFICATIONS  
NOT SHOWN



**OPTION C**

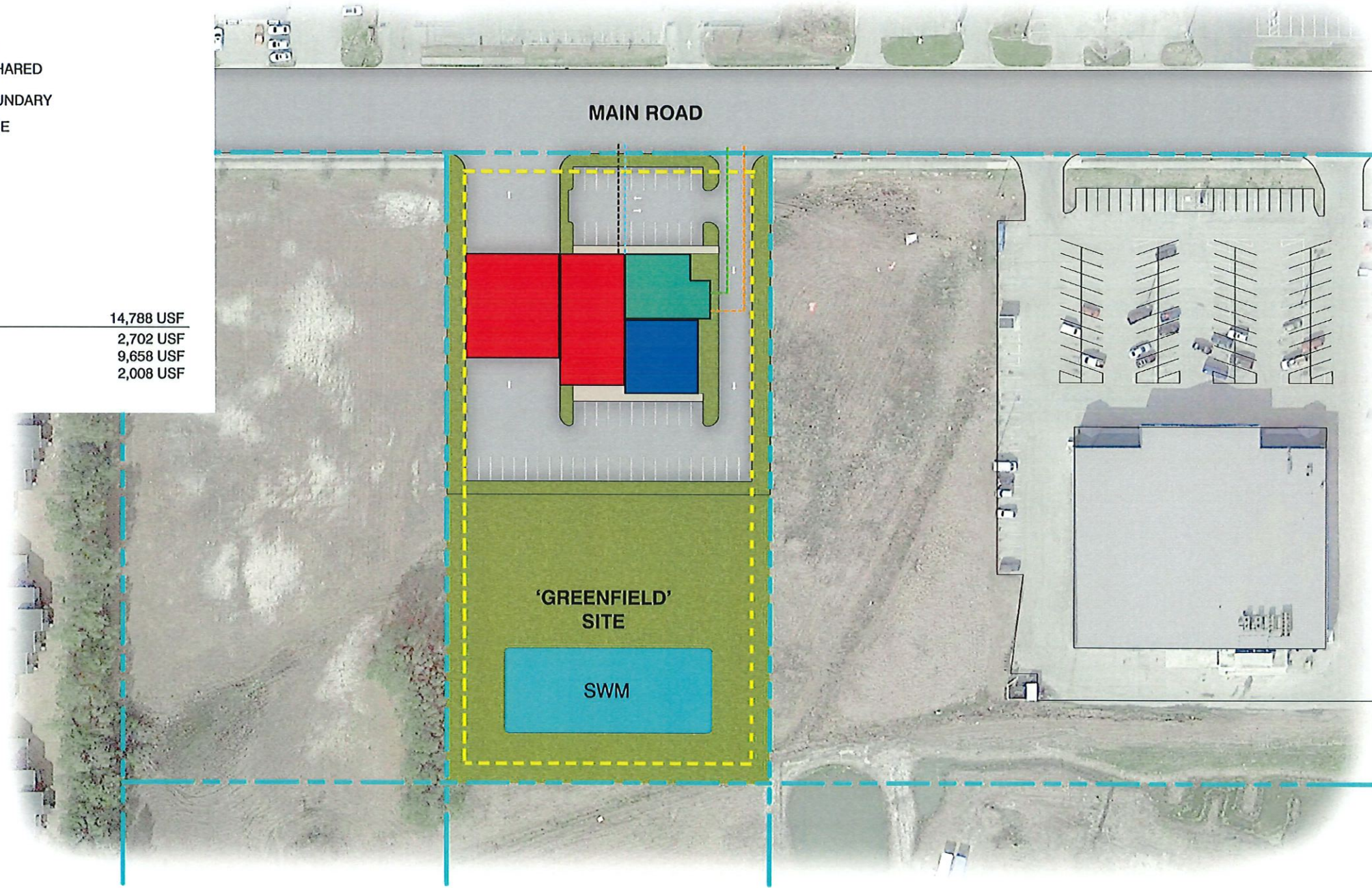


**LEGEND**

- EXISTING FIRE AND POLICE BUILDING
- EXISTING BUILDING
- TO BE RENOVATED
- PROPOSED FIRE
- PROPOSED POLICE
- PROPOSED EOC / SHARED
- SET BACK BOUNDARY
- PROPERTY LINE
- SEWER LINE
- WATER LINE
- POWER LINE
- DATA LINE

**SQUARE FOOTAGES**

<b>NEW BUILDING</b>	<b>14,788 USF</b>
POLICE	2,702 USF
FIRE	9,658 USF
EOC / SHARED	2,008 USF



**OPTION D**



# Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **Dockwalk Bulkhead/Mattocks Property**

Board Meeting Date: **August 28, 2023**

Prepared By: **Paula Webb – Town Manager**

**Overview:** Discussion is needed regarding the recent deterioration of the bulkhead and property at the shoreline along the Mattocks Property where the Bicentennial Park Boardwalk Extension with Public Day Docks are to be constructed.

**Background and Points for Discussion Include:**

- The Town received notification in November 3, 2020 that the Bicentennial Park Boardwalk Extension with Public Day Docks Grant Project had been approved and granted the full amount requested of \$142,350. The Total project cost is \$158,350 with the grant. \$7,000 of the required \$16,000 town match will be non-cash/in-kind. The project will include the following:
  1. A 150 feet by 12 feet wide wooden boardwalk to be located waterward of an existing concrete bulkhead along the shoreline of the southern section of the park and the Mattocks House property. The boardwalk will connect on the western end of the existing Town Dock located in the Moore Street right-of-way.
  2. A floating dock measuring 6 feet by 130 feet will be located immediately waterward of the Boardwalk and will connect to the existing Moore Street Dock by means of 4 feet by 30 feet aluminum gangway on the western end.
  3. There will be seven boat slips to accommodate day visitors in small boats, 2 of which are included in a rental agreement for Randy Swanson’s use.
- A Lease and Dock Rental Agreements were executed with Randy Swanson. An excerpt from the Lease provides:

ARTICLE VI

REPAIRS AND MAINTENANCE

LESSEE shall maintain at its expense the Demised Premises and its  
Improvements and keep the same in good condition and repair.

- Per the grant contract, dredge work was completed on April 8<sup>th</sup>, 2023. On or about July 3<sup>rd</sup>, 2023, owner Randy Swanson indicated that he noticed something odd when his fence posts would not stay grounded at the bulkhead area. On Friday, August 11<sup>th</sup>, 2023, he notified the Town that the ground at the shoreline was cracking.

**Action:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



- On Monday, August 14<sup>th</sup> we consulted with Crystal Coast Marine/Justin Cleve who shared he could drive pilings to secure the bulkhead as an immediate solution. The proposal was sent to CAMA for consideration. Item VI - b.
- On Tuesday, August 15<sup>th</sup> I received approval from CAMA for maintenance/repair to drive the pilings, which were then driven on Wednesday, August 16<sup>th</sup>.

The land side of the bulkhead continues to deteriorate due to the tide washing in/out around the bulkhead. Two estimates were provided by Justin Cleve.

1. Temporary Repair - \$24,200 – remove failing soil, line the cavity with Geo Fabric and granite washed stone and rip rap at the entrance/exit points of high flow water.  
*\*CAMA has approved this as maintenance and repair*
2. Replace Bulkhead - \$101,450 – remove/dispose of old wall/debris & soil and Install a new composite wall  
*\* Will require modification of current CAMA Permit - now or later*

Project Engineer, John Wade has indicated that the bulkhead must be replaced prior to the dockwalk being built. He has already designed it. We do feel CAMA will approve the modification, however, that timeframe is unknown, and the further deterioration of the land is concerning due to the proximity of Randy Swanson's pavilion.

If the CAMA modification comes through within the next week, we can omit the repairs and proceed with the bulkhead replacement. If the CAMA modification is delayed, I am fearful that deterioration of the landside could be detrimental.

**Recommended Action:** Discuss, provide guidance, and action to allocate funding for repairs and replacement of the bulkhead.





# Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **Future Agenda Topics**

Board Meeting Date: **August 28, 2023**

Prepared By: **Alissa Fender – Town Clerk**

**Overview:** The purpose of this memo is to provide the Board with matters that staff anticipates/proposes for upcoming meetings. It should be noted that these items are tentatively scheduled for the specified monthly agenda but are subject to change due to preparation of materials, public notice requirements, etc.

In providing this memo each month, we hope it will also provide an opportunity for the Board to introduce items of interest and subsequent direction for placement on future agendas, which will allow staff the opportunity to plan accordingly.

**September 11th or 25th**

*There are no items designated for either of these meetings – consideration can be given for cancellation of 1 or both meetings if desired*

**October Meeting Date**  
Regular – 23rd

**Future Agenda Items**

- \* American Rescue Plan Funding Recommendations (updates)
- \* Further LUP Review/Amendments – Comprehensive Transportation Plan Revisions
- \* Text Amendments – R/A Zoning Uses – *referred back to Planning Board*
- \* Sub-committee designations for Strategic Plan Implementation (*Eco Dev Committee est. Oct 2020*)
- \* Building Standards (*Concerns with tarps and homes in poor repair all around town brought up 2.14 meeting*)
- \* Board Meeting Alternatives for Public viewing (*undergoing further research*)
- \* Swimming Pool/Consideration for Establishing a Pool Committee (*on hold for P&R Master Plan*)
- \* Wetlands Policy (*creation & review by planning board*)
- \* Duke Energy Presentation
- \* Major Subdivision Final Plat – Parrish Green
- \* Onslow County Soil & Water Presentation
- \* Wayfinding Signs
- \* High School Recognitions – *revisit/revise*
- \* Swansgate Street Acceptance
- \* Text Amendment – Airbnb regulations
- \* Highway 24 Superstreet Presentation – *rescheduled to later date*
- \* Waterfront Access and Development Plan (review/revision considerations)
- \* Town Code Amendment to Chapter 91: Fire Prevention